

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JORGE TOVAR,

Plaintiff,

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

Case No. 1:23-cv-00016-SAB

ORDER DENYING APPLICATION TO
PROCEED *IN FORMA PAUPERIS*
WITHOUT PREJUDICE AND REQUIRING
PLAINTIFF TO FILE LONG FORM
APPLICATION

(ECF No. 2)

DEADLINE: FEBRUARY 1, 2023

Plaintiff Jorge Tovar filed a complaint on January 3, 2023, challenging a final decision of the Commissioner of Social Security denying an application for disability benefits. (ECF No. 1.) Plaintiff did not pay the filing fee in this action and instead filed an application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (ECF No. 2.) However, the Court cannot determine from the information provided in the application if Plaintiff is entitled to proceed in this action without prepayment of fees.

Accordingly, the Court will order Plaintiff to complete and file an Application to Proceed in District Court Without Prepaying Fees or Costs (Long Form) – AO 239. If Plaintiff is unwilling to complete and submit the long form application, Plaintiff must pay the filing fee in full.

Accordingly, IT IS HEREBY ORDERED that:

1. Plaintiff's application to proceed *in forma pauperis* (ECF No. 2) is DENIED without prejudice;
2. The Clerk of the Court is directed to forward an *in forma pauperis* application (Long Form) to Plaintiff;
3. Not later than **February 1, 2023**, Plaintiff shall either (1) pay the \$402.00 filing fee for this action, or (2) file a long form application to proceed *in forma pauperis* without prepayment of the fee; and
4. If Plaintiff fails to comply with this order, this action shall be dismissed.

IT IS SO ORDERED.

Dated: **January 4, 2023**


UNITED STATES MAGISTRATE JUDGE